

[Counsel Listed on Signature Pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS

Master File No. C-02-1486 CW (EDL)

**STIPULATION AND [PROPOSED]
ORDER REGARDING PLAINTIFFS'
MOTION FOR AN EXPEDITED
BRIEFING AND HEARING SCHEDULE**

1 WHEREAS, on June 30, 2006, Plaintiffs filed a Notice of Motion and Motion for an
2 Expedited Briefing and Hearing Schedule for Plaintiffs' Motion for Letters Rogatory Seeking
3 Judicial Assistance in Compelling Maurice Tavares, Gordon Buchan, and Mario Leduc to
4 Give Testimony and Produce Documents ("Motion for Letters Rogatory");

5 WHEREAS, the parties have agreed that responses to Plaintiffs' Motion for Letters
6 Rogatory should be filed by July 14, 2006, and served by overnight courier, with any reply by
7 Plaintiffs to be filed by July 18, 2006, and served by overnight courier, and that the hearing on
8 Plaintiffs' Motion for Letters Rogatory should be held on July 25, 2006, if that date is
9 convenient for the Court;

10 WHEREAS, on July 5, 2006, Plaintiffs filed a Request Pursuant to Civ. L.R. 79-5(d) to
11 Lodge Under Seal Documents Designated Confidential ("Request to Lodge Under Seal") for
12 certain documents produced and designated as "Confidential" by JDSU that were annexed to
13 the Declaration of Anthony J. Harwood in support of Plaintiffs' Motion for Letters Rogatory;
14 and

15 WHEREAS, pursuant to Civ. L.R. 79-5(d), JDSU must file, within five days of the
16 filing of Plaintiffs' Request to Lodge Under Seal, a declaration establishing that the documents
17 designated "Confidential" are sealable;

18 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
19 record, that:

- 20 1. Responses to Plaintiffs' Motion for Letters Rogatory shall be filed by
21 July 14, 2006, and shall be served on all parties by overnight courier;
- 22 2. Plaintiffs' reply (if any) shall be filed by July 18, 2006, and shall be served on
23 all parties by overnight courier;
- 24 3. ~~Plaintiffs' Motion for Letters Rogatory shall be set for hearing on~~
25 ~~July 25, 2006, if that date is convenient for the Court; and~~
- 26 4. JDSU's declaration in support of Plaintiffs' Request to Lodge Under Seal shall
27 be filed by July 12, 2006.

1 Respectfully submitted,

3 Dated: July 6, 2006

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15 Dated: July 6, 2006

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26 PURSUANT TO STIPULATION, IT IS SO ORDERED. AS MODIFIED. The Court will notify
27 the parties if a hearing on the Motion
28 Dated: July 21, 2006 for Letters Rogatory is necessary.



29 Elizabeth D. Laporte
30 States Magistrate Judge

GENERAL ORDER 45 ATTESTATION

I, Philip T. Besirof, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding: Lead Plaintiffs' Motion for an Expedited Briefing and Hearing Schedule. In compliance with General Order 45, X.B., I hereby attest that Anthony J. Harwood, attorney for Plaintiffs, and Howard S. Caro, attorney for Kevin Kalkhoven, have concurred in this filing.

Dated: July 6, 2006

MORRISON & FOERSTER LLP

By: /s/ Philip T. Besirof
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